

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALFREDO HERNANDEZ,

Plaintiff,

v.

JEFF MACOMBER, et al.,

Defendants.

No. 2:22-cv-00964-TLN-SCR

**ORDER**

Plaintiff Alfredo Hernandez (“Plaintiff”), a former state prisoner proceeding *pro se*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 11, 2024, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 38.) Neither party filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations (ECF No. 38) are ADOPTED IN FULL;
2. Defendants’ Motion for Summary Judgment (ECF No. 33) is DENIED without

1 prejudice;

2 3. This case is dismissed without prejudice based on Plaintiff's failure to prosecute and  
3 failure to follow court orders, Fed. R. Civ. P. 41; E.D. Cal. L.R. 110; and

4 4. The Clerk of Court shall close this case.

5 IT IS SO ORDERED.

6 Date: January 24, 2025

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TROY L. NUNLEY  
CHIEF UNITED STATES DISTRICT JUDGE